# **FAMILY FACT SHEET**



# NAME CHANGE: How Do I Change a Name?

#### Can I change my name?

Yes, as long as the purpose is not fraudulent, illegal, or interferes with the rights of others. To formally change a name, ask the court to grant an order.

#### Can I change the name of a child or minor?

If your child is under 12 months old and both parents agree to a change of name, the Department of Health can make a name change. You need a court order for older children, which requires the names of both biological parents. This process is easier when you have consent from the child's parents, guardians, and custodians. Legally changing a child's name has no effect on obligations such as child support or rights of the child's parents.

#### What if I don't have consent from parents, guardians and custodians?

The clerk will issue you a summons, which is an official notice of your case. This means you must serve copies of your case documents on the child's other parent, guardians, or custodians. Watch a video on service of process.

## Where do I apply to change a name?

Go to the <u>circuit court</u> in the county where you live. Do NOT go to the District Court in your jurisdiction.

#### Do I need documents or forms?

Complete a <u>Petition for Change of Name (Adult) (CC-DR-60)</u> or <u>Petition for Change of Name (Minor) (CC-DR-062)</u>. Attach documents with your current name (birth certificate, driver's license) and documents that show a name change (marriage certificate). If you're changing the name of a child, attach a signed <u>Consent to Change of Name (CC-DR-063)</u>. The publication step requires more forms.

#### What is the publication step?

A notice of your request to change your name must be published in a newspaper of general circulation in the county where you live. This gives other people a chance to object to your name change. Complete a Notice of Publication for an Adult (CC-DR-061) or for a Minor (CC-DR-065). Check with the circuit court clerk for details. In some jurisdictions, you are responsible for making publication arrangements. In other circuit courts, the clerk arranges publication. After the notice has been published, attach a copy to the Certificate of Publication (CC-DR-075) and submit it to the court. If the clerk arranged publication for you, then you may skip this step.

(see next page)

#### Can I waive or substitute the publication step?

In very special circumstances, you can ask the court to waive or substitute the publication requirement. This is another step that differs by jurisdiction, so check with the clerk in your court.

#### Are there fees?

There is a filing fee (\$165) and a cost for publication. Learn more about filing fee waivers.

#### What is an objection?

An objection is a statement that says someone opposes a name change. Anyone can file one if they have a valid reason. File your objection with the circuit court in writing. You must meet the deadline stated in the notice of the name change.

If you are served with an objection to your name change request, you have 15 days to respond. Write out your response and submit it to the court before the deadline.

While an objection and a response must be submitted in writing, you might prefer an in-person hearing before a judge to explain the facts. Submit a <u>Request for Hearing or Proceeding (CC-DR-059)</u>.

### The court granted a name change order. Now what?

The court mails you a certified copy, which you can use to change your name in multiple places: on your driver's license, with the Division of Vital Records, and with the Social Security Administration, banks, creditors, and other places where you do business.

# Where can I get legal help?

Most circuit courts have walk-in family court help centers where you can get free legal help from lawyers, paralegals, and court staff. Center staff CAN explain the name change court process, answer questions, help with court forms, and help you open, answer, or move forward your name change case. They CAN NOT represent you in court, file paperwork for you, or help you if you have a lawyer. Each center operates independently, and most have a first come/first served sign-up process. Learn more at <a href="mailto:mdcourts.gov/familyselfhelp">mdcourts.gov/familyselfhelp</a>. You can also call the Maryland Courts Help Center at 410-260-1392. Lawyers can answer questions most weekdays from 8:30 a.m. to 8 p.m.

